



General Assembly

January Session, 2011

**Committee Bill No. 5387**

LCO No. 2686

\*02686HB05387ENV\*

Referred to Committee on Environment

Introduced by:  
(ENV)

**AN ACT ESTABLISHING A FINE FOR THE SUBSEQUENT ILLEGAL  
DUMPING OF LITTER.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Subsections (a) and (b) of section 22a-250 of the general  
2 statutes are repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2011*):

4 (a) No person shall throw, scatter, spill or place or cause to be  
5 blown, scattered, spilled, thrown or placed, or otherwise dispose of  
6 any litter (1) upon any public property in the state, (2) upon any public  
7 land in the state, (3) upon any private property in this state not owned  
8 by such person, or (4) in the waters of this state, including, but not  
9 limited to, any public highway, public park, beach, campground, forest  
10 land, recreational area, mobile manufactured home park, highway,  
11 road, street or alley except: (A) When such property is designated by  
12 the state or any political subdivision thereof for the disposal of garbage  
13 and refuse, and such person is authorized to use such property for  
14 such purpose; or (B) into a litter receptacle in such a manner that the  
15 litter will be prevented from being carried away or deposited by the  
16 elements upon any part of said private or public property or waters.

17 For the purposes of this subsection, "public land" means a state park,  
 18 state forest or municipal park or any other publicly-owned land that is  
 19 open to the public for active or passive recreation.

20 (b) (1) Any person who violates any provision of subsection (a) of  
 21 this section shall be fined not more than one hundred ninety-nine  
 22 dollars for the first offense and not more than five hundred dollars for  
 23 any subsequent offense. One-half of any fine collected pursuant to this  
 24 subsection shall be payable to the state and one-half of such fine shall  
 25 be payable to the municipality in which the arrest was made unless the  
 26 arrest was made by a conservation officer, special conservation officer  
 27 or patrolman appointed by the Commissioner of Environmental  
 28 Protection under authority of section 26-5, in which case one-half of  
 29 such fine shall be payable to the Department of Environmental  
 30 Protection.

31 (2) Whenever any person is convicted of a violation of subdivision  
 32 (2) of subsection (a) of this section, the court shall, in addition to  
 33 imposing the fine authorized by subdivision (1) of this subsection,  
 34 impose a surcharge in an amount equal to fifty per cent of such fine.  
 35 Any such surcharge collected pursuant to this subdivision shall be  
 36 payable to the municipality in which the arrest was made unless the  
 37 arrest was made by a conservation officer, special conservation officer  
 38 or patrolman appointed by the Commissioner of Environmental  
 39 Protection under authority of section 26-5, in which case such  
 40 surcharge shall be payable to the Department of Environmental  
 41 Protection.

42 (3) When any such material or substances are thrown, blown,  
 43 scattered or spilled from a vehicle, the operator thereof shall be  
 44 deemed prima facie to have committed such offense.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	22a-250(a) and (b)

Section 1	October 1, 2011	22a-250(a) and (b)
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**Statement of Purpose:**

To establish a fine for the subsequent illegal dumping of litter.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. RITTER M., 1st Dist.

H.B. 5387